



2024 Virginia Section 319(h) Nonpoint Source (NPS) Implementation Program Request for Applications (RFA) Instructions

| | |
|------------------------------|--|
| Agency | Virginia Department of Environmental Quality (DEQ), Office of Watershed and Local Government Assistance Programs |
| Project Types | Implementation of U.S. Environmental Protection Agency (EPA)-approved NPS Implementation Plan (IP) and related Best Management Practice (BMP) installation, information and outreach, and water quality monitoring. |
| Eligible Entities | Local governments (including counties, cities, and towns), county health departments, Soil and Water Conservation Districts (SWCDs), Virginia institutes of higher education (universities, colleges, etc.), planning district commissions, regional commissions, nonprofit environmental organizations, and agencies/departments of the Commonwealth of Virginia. |
| Deadline | August 31, 2023 at 11:59 p.m. |
| Application Materials | Please visit the DEQ NPS webpage "Current Funding Opportunities" section to access Application materials. This page will contain document revisions, Q&A information and other relevant information |
| Funds Available | DEQ anticipates approximately \$1.6 million will be available for projects starting October 1, 2024. (Funding levels are subject to change without notice.) |
| Funding | U.S. Environmental Protection Agency (EPA) – Clean Water Act Section 319(h) |
| Match Rate | 30% Match (Example: \$300,000 of 319(h) grant funds will require a minimum of \$90,000 in match funds) |
| Award Range | \$75,000 - \$300,000 |
| Length | Up to 36 months |
| Timeline | <ul style="list-style-type: none"> • RFA Issued May 25, 2023 • 2024 RFA Application Development Webinar and Q&A Wednesday June 21, 2023 9:30 a.m. – 12 p.m. <p>Register at: https://attendee.gotowebinar.com/register/5628937015317023066</p> <ul style="list-style-type: none"> • Deadline for Submission of Applications..... August 31, 2023 • Application Review by DEQ Sept. 1 – Nov. 30, 2023 • Notification of Selection Status to Applicants January 2024 • Public Posting of Notice of Intent to Award February 2024 • Anticipated Project Start Date..... October 1, 2024 or later • Latest Project End Date September 30, 2027 |
| Contact Email | npsgrants@deq.virginia.gov |

| | |
|---|--|
| Supporting Environmental Justice¹ and Equity in the Nonpoint Source Program | <p>It is a priority of the EPA and Virginia DEQ to integrate environmental justice considerations into respective programs, plans, and actions and to ensure fair treatment and meaningful access and opportunities to the benefits from environmental programs for all individuals. EPA and DEQ are committed to ensuring that the benefits of cleaner water provided by the Section 319 program reach disadvantaged communities. See EPA's guidance documents including the following policy memo, Continued Actions in FY23 to Increase Equity and Environmental Justice in the Nonpoint Source Program, for more information about the Agency's actions to engage the NPS community in this work.</p> <p>EPA and DEQ are interested in projects that: 1) mitigate for past environmental justice impacts and improve community health, resilience and/or sustainability; and 2) foster resilience and adaptation to changing climate and environmental conditions.</p> |
|---|--|

| RFA Instructions Table of Contents | Page # | Date of Last Update* |
|---|--------|-------------------------------------|
| I. Purpose and Background | 3 | 6/6/2023- Updated DEQ website links |
| II. Eligibility Requirements | 3 | 6/6/2023- Updated DEQ website links |
| III. Partnerships, Technical Expertise, and Subcontracting and Sub-Grantees | 6 | |
| IV. Project Period | 7 | |
| V. Funding | 7 | |
| VI. Reimbursement | 9 | |
| VII. Sub-recipient Grant Contract Requirements | 9 | |
| VIII. Application Package Requirements and Submission Instructions | 10 | |
| IX. DEQ Contacts | 10 | |
| X. Initial Review, Evaluation, Ranking, and Selection Process | 11 | |
| XI. Evaluative Criteria | 11 | |

*Indicates if any updates/revisions were made to language subsequent to issuing the RFA

| Website Links to RFA Documentation | Date of Last Update* |
|---|--|
| DEQ Funding, Grant, and Project Resources – located on the DEQ website | 6/6/2023- Updated DEQ website link |
| Table 1: List of Eligible Implementation Plan Areas | 6/6/2023- Updated DEQ website link. |
| Attachment 1: Application Form (Excel) – located on the DEQ website | |
| Attachment 2: Application Questions (Excel) – located on the DEQ website | 6/6/2023- Removed all references to Tab 4a |
| W-9 - “Request for Taxpayer Identification Number and Certification” Commonwealth of Virginia Substitute Form – located on the DEQ website | |
| Environmental Justice Web-based Screening Tool - Applicants are encouraged, as appropriate, to utilize data from EPA’s EJSCREEN Tool (or other EJ-focused geospatial mapping tools) to identify, characterize and describe potential affected communities/populations and areas | |

*Indicates if any updates/revisions were made to language after issuing the RFA on 5/25/2023.

I. PURPOSE AND BACKGROUND

The Virginia Department of Environmental Quality (DEQ) is making available up to \$1.6 million in Federal Clean Water Act [Section 319\(h\)](#) grant funding through this Request for Application (RFA) to support [projects](#) that will result in advancement of goals and milestones included in eligible Nonpoint Source (NPS) implementation plans (IPs) and watershed-based plans (IPs). This RFA is intended to identify implementation plan projects that do not currently have an active or pending Section 319(h) grant(s) in the IP of interest. Grantees who wish to continue their current project should either contact their assigned DEQ project manager or npsgrants@deq.virginia.gov to inquire about the process of continuing their current 319(h) funded project.

II. ELIGIBILITY REQUIREMENTS

A. Applicants: Eligible Applicant categories are listed in the “Eligible Entities” section on page 1 above. Applicants must be eligible to receive federal funds to participate in this program; and must not currently have a 319(h) agreement or pending 319(h) project in the IP of interest.

B. Implementation Plan (IP) Areas: Refer to [Table 1](#) for a list of eligible IP areas. For IP eligibility questions, contact npsgrants@deq.virginia.gov, email subject line “2024 RFA – IP Eligibility”.

The project must address an IP that:

1. Has already been approved by the Environmental Protection Agency (EPA); or
2. Has been submitted to EPA for review by August 31, 2023, and approved by EPA by December 1, 2023.

“Conditionally Eligible” IPs are defined as implementation plans that have had a previous project completed and a “closeout” process completed (refer to [Table 1](#)). Applicants are required to provide additional information with their Application in [Attachment 2: Application Questions](#).

Note: A copy of the closeout report written for the “Conditionally Eligible” IPs may be available. Contact npsgrants@deq.virginia.gov, email subject line “2024 RFA-IP Closeout Report” to request a copy.

C. Implementation Activities. The project shall only include implementation activities that address source sectors addressed in the proposed IP watershed(s). Implementation activities within an eligible IP area that meet Virginia’s [Chesapeake Bay Watershed Implementation Plan Phase III](#) (WIP III), but are not specifically listed in the IP, may be considered eligible activities for this RFA if the IP specifically allowed this (refer to the “Comment” column in [Table 1](#) for more information). For IPs addressing a very large watershed, projects should prioritize implementation activities by sub-watershed (e.g., strategic targeting). Implementation activities fall into these categories:

1. **Best Management Practices (BMPs):** The major initiative of the project should be to install or complete BMPs identified in the approved IP, or comparable activities. BMPs fall into these categories:
 - a. **Agricultural BMPs:** The RFA will not provide funding for agricultural BMP programs that are not administered or conducted by a Soil and Water Conservation District (SWCD). The Grantee shall:
 - i. Adhere to current FY23 [DEQ’s Nonpoint Source Implementation BMP Guidelines](#) (NPS BMP Guidelines) and to the FY23 Department of Conservation and Recreation’s (DCR) [Virginia Agricultural BMP Cost-Share Manual](#) (as applicable). **Note:** New guidelines from DEQ and DCR for FY23 are effective July 1, 2022;
 - ii. Use the [Virginia Nonpoint Source Cost-Share BMP Contract](#) referenced in the [NPS BMP Guidelines](#); and
 - iii. Report the BMPs in DCR’s BMP Tracking System.
 - b. **Residential Septic BMPs:** Residential septic BMPs shall be included in [DEQ’s Nonpoint Source Implementation BMP Specifications](#) (NPS BMP Specifications). The Grantee shall:

- i. Adhere to the associated BMP specifications and guidelines in DEQ's [NPS BMP Guidelines](#) and [NPS BMP Specifications](#);
 - ii. Submit annual Residential Septic Program Guidelines to DEQ for approval based upon any updates made to DEQ's [NPS BMP Guidelines](#) and [NPS BMP Specifications](#);
 - iii. Use the [Virginia Nonpoint Source Cost-Share BMP Contract](#) referenced in DEQ's [NPS BMP Guidelines](#); and
 - iv. Record BMPs in either DCR's BMP Tracking System (the Grantee shall be a SWCD or partner with a SWCD) or via the Grants Template in [DEQ's BMP Warehouse](#).
- c. **Pet Waste BMPs:** The project may include the development and implementation of a pet waste education program and the implementation of various pet waste BMPs. The Grantee shall:
- i. Adhere to DEQ's [NPS BMP Specifications](#) for pet waste specifications;
 - ii. Develop associated landowner agreements and operation and maintenance plans; and
 - iii. Record BMPs via the Grants Template in [DEQ's BMP Warehouse](#).
- d. **Urban/Suburban BMPs:** Urban BMPs include those in an IP that are *not included* in the "Ineligible Activities" (refer to Section II.D below) and that *are* addressing stormwater and other actions not required by a NPDES/VPDES permit or required to meet permit conditions (review DEQ's [NPS BMP Guidelines](#) for additional programmatic information). The Grantee shall:
- i. Ensure associated BMPs comply with the specifications in:
 - a) DEQ's Stormwater Handbook (refer to the [Virginia Stormwater Management Publications](#));
 - b) The DEQ and Virginia Tech [Stormwater BMP Clearinghouse](#);
 - c) The Virginia Association of Soil and Water Conservation District's (VASWCD) [Virginia Conservation Assistance Program \(VCAP\) Resources](#), specifically the VCAP BMP Manual; and/or

Note: Projects funded by 319(h) should adhere to the VCAP practice specifications and rates; however, they will not be considered "VCAP" practices unless they are run through the VCAP process.)

 - d) [The Virginia Stream Restoration and Stabilization Best Management Practices Guide](#).
- ii. Submit additional documentation certifying the project for which they receive Section 319(h) funding will not be credited toward a NPDES/VPDES permit prior to grant award;

Note: Refer to the EPA's [Nonpoint Source Program and Grants Guidelines for States and Territories](#) (Part VIII: Section 319 Funding Information, Section B: Urban Stormwater Runoff for the EPA's Guidance on using 319(h) funding for urban projects).
- iii. Develop associated landowner agreements and operation and maintenance plans; and
- iv. Record BMPs via the Grants Template in [DEQ's BMP Warehouse](#).

Note: All projects with BMP implementation activities must have an operation and maintenance plan (O&M Plan) or an equivalent and signed landowner agreement (refer to DEQ's [NPS BMP Guidelines](#) for more information about DEQ's requirements for O&M Plans and landowner agreements). The Grantee:

- 1) Shall be responsible for obtaining a signed landowner agreement for all BMPs installed during the project period, including BMPs installed with match funds or Section 319(h) funds, and for submitting them to DEQ;
 - 2) Should plan for a minimum of ten (10) years, starting from the completion of the implementation of the BMP, unless otherwise agreed to by DEQ or if stated otherwise in the associated BMP specification; and
 - 3) Shall develop and obtain DEQ approval of an O&M Plan:
 - a. Exception: For agricultural and residential septic BMPs, the Grantee may substitute a signed [Virginia Nonpoint Source Cost-Share BMP Contract](#) for an O&M Plan and associated landowner agreement (DEQ will not accept this substitution for any other BMP).
2. **Education and Outreach:** Education and outreach activities are allowed as a supplement to BMP implementation, as a means to recruit interest for BMP installation and support activities identified in the approved IP. The purchasing and use of outreach materials, equipment (items more than \$5,000), and supplies must directly support eligible project outreach and educational activities. Examples of eligible activities include:
- a. Identifying potential land or property owners for BMP installation;
 - b. Developing and/or enhancing educational and outreach strategies and products that will increase participation in BMP cost-share programs, specifically those referenced in the IP;
 - c. Planning, hosting and organizing public events, farmer/field days, workshops and site visits that demonstrate successful BMP installation, discuss the IP and encourages like-minded landowners within a specific IP area (no state-wide or regional initiatives) to participate through implementation of activities identified in the IP (targeting BMP installation);
 - d. Participating in community or industry events that provide opportunities to discuss water quality issues, discuss the IP, and promote BMP implementation;
 - e. Developing landowner list(s), parcel maps, and auxiliary data sets for outreach and targeting in order to identify potential participants;
 - f. Producing tools and resources (e.g., brochures, videos, pamphlets, targeted mailings, presentations, etc.) that are specifically targeted to engaging that target audience in participating in the IP project and installing BMPs on their property;
 - g. Conducting targeted local education/outreach events (such as technology transfer workshops) that promote the voluntary implementation of BMPs; and
 - h. Developing and delivering behavior-change programs that encourage voluntary participation in activities listed in the implementation plan (e.g., pet waste reduction, septic pump-out and maintenance, fencing livestock from stream access, etc.).
3. **Water Quality Monitoring:** Projects that conduct water quality monitoring to document progress toward improving water quality should be consistent with the monitoring plan described in the IP. Water quality monitoring activities may include documenting progress in achieving water quality milestones listed in the TMDL IP and identifying areas in the watershed(s) where the pollutant of concern's concentrations or loadings are the highest (for example, the latter could assist in outreach and targeting of BMP implementation). The Grantee shall:
- a. Include a detailed Water Monitoring plan that is outlined in Tab 5 of the Application document.
 - b. Submit monitoring data into the EPA's [Water Quality Exchange](#) (WQX/WQX web) database. The project must have "CWA319" listed as the project ID. If eligible, the Grantee may submit the data through the [Chesapeake Monitoring Cooperative](#) (CMC), which links to EPA's WQX/WQX web database. The project ID of "CWA319" must also be used if reporting to CMC.

- c. Submit a completed DEQ Data Use Authorization Form, available at <https://www.deq.virginia.gov/home/showpublisheddocument/5246/637630831159400000>.
- d. Develop a Quality Assurance Project Plan (QAPP) for approval by DEQ and EPA for all water quality monitoring activities. Applicants must utilize the EPA-approved 319 Nonpoint Source QAPP template available at <https://www.deq.virginia.gov/our-programs/water/water-quality/nonpoint-source-management/funding-grant-and-project-resources>. Since QAPPs require EPA Headquarters review and approval, Grantees should be aware of the time necessary to accommodate the extensive review and revisions cycles involved to prepare and finalize a QAPP. QAPPs that addresses multiple projects may be utilized if:
 - 1) Field and laboratory procedures are common to several projects;
 - 2) Only project-specific information is required (e.g., site locations or sampling frequency is only required to be submitted for individual projects); and
 - 3) It is subsequently reviewed and approved by the DEQ QA/QC officer.

D. Ineligible Activities: Activities that are *not* eligible and that will not be supported with 319(h) funding include:

1. Projects located outside of an eligible NPS IP watershed (refer to [Table 1](#));
2. Implementation of BMPs not included in an eligible NPS IP (refer to [Table 1](#));
3. BMPs not meeting established specifications;
4. Activities completed to satisfy an enforcement action or for NPDES/VPDES permit development, implementation, or compliance. (This includes BMPs and activities credited under an MS4 permit or an MS4 TMDL Action Plan.);
5. Activities that are required by law (Note: Correction of failing septic systems and straight pipes are eligible);
6. Residential septic program aimed at addressing maintenance or septic tank pump-outs only (e.g., RB-1 and RB-3M)
Note: Septic programs must address the repair and replacement of failed septic systems and/or straight pipes or connection to public sewer (RB-2/2P, RB-3, RB-4/4P and RB-5) to be eligible;
7. BMP implementation aimed at addressing only Virginia WIP III requirements;
8. Water quality monitoring for research and BMP efficiency;
9. Public sanitary sewer system improvements, including sewer line extensions (Note: Connections from an individual house to the property line in order to connect to a sewer line and/or sewer line extension *are* eligible);
10. Purchase of promotional items, unless that promotional item is specifically listed in the IP and was specifically detailed in the Grantee's Application, and DEQ receives prior authorization from EPA (refer to Sections [200.405](#) and [200.421](#) of the Federal Uniform Grant Guidance);
11. Funding for education and outreach activities that are not directly related to achieving goals and milestones of the IP, including staff time spent on these activities and direct financial support for events (e.g., event sponsorships, supplies, etc.);
12. Food or beverages for events that do not meet the classification of a qualifying event and which do not adhere to DEQ and EPA guidelines; and
13. Projects that *only* include design work.

III. PARTNERSHIPS, TECHNICAL EXPERTISE, AND SUBCONTRACTING AND SUB-GRANTEES

Past experience has shown that an active and engaged community partnership involving all stakeholders in a watershed is a key component in a successful NPS implementation project. This RFA is intended to recognize partnerships that will result in comprehensive implementation of an IP.

A. Partnerships: At a minimum, the project shall include the following partnerships, if the project includes these types of BMP implementation activities:

1. **Residential Septic:** Partnership with local/county health department(s) in the project area.
2. **Agriculture:** Partnership with the local SWCD(s) as a technical service provider.
3. **Urban/Suburban Stormwater:** Partnership with local government staff and appropriate stormwater professionals.

B. Technical Expertise, Engineering Design, Design Costs and 'Job Approval Authority': The project shall utilize appropriate technical expertise for project implementation and BMP design/construction to ensure that practices are technically sound and meet the appropriate BMP specifications. The Grantee and/or their partner(s) shall:

1. Track and report on all BMP implementation activities; and
2. Be responsible for the development of designs and Applications for all applicable local, state and federal permits for all BMPs to be installed/implemented, including:
 - a. Having the design, depending on the type of BMP, certified by a registered or licensed Professional Engineer of Virginia, USDA Natural Resources Conservation Service (NRCS) staff, or licensed professional that is listed in the associated specification (e.g., licensed Onsite Soil Evaluator for septic systems), unless the Grantee obtains a waiver of this certification requirement from DEQ (the waiver can be obtained from DEQ after grant award).

C. Subcontracting and Sub-Grantees: Grantees may subcontract or sub-grant portions of their Section 319(h) grant or local matching funds for technical or other services associated with implementation of the project.

IV. PROJECT PERIOD

DEQ does not anticipate issuing contracts that will start before October 1, 2024; however, at the discretion of DEQ, and based upon availability of funding, DEQ may offer Grantees the option to start their project before October 1, 2024. Project length shall not exceed 36 months from the effective date of the contract.

V. FUNDING

DEQ will award funding for NPS implementation projects to assist in meeting goals and milestones established in eligible IPs; DEQ will target funding for projects that:

- Directly address goals and milestones of an eligible EPA-approved IP (refer to [Table 1](#));
- Demonstrate a high likelihood of positively impacting water quality;
- Focus on implementation of cost-effective BMPs and education and outreach activities listed in a IP;
- Include engaged and meaningful partnerships, especially any that are referenced in the IP; and
- Develop an education and outreach strategy and associated products that address pollutant source sectors outlined in the relevant IP to promote a high rate of participation.

A. Award Range: The range for individual 319(h) NPS funding awards available through this RFA is \$75,000 (minimum) and \$300,000 (maximum).

B. Funding Conditions:

1. **Cost-Share Rates for BMPs:** The Grantee shall adhere to the cost-share funding limitations as prescribed in DEQ's [NPS BMP Specifications](#) and DCR's [Virginia Agricultural BMP Cost-Share Manual](#) for associated agricultural, residential septic, and pet waste BMPs. Section 319(h) funds are not available for BMPs that exceed these funding caps. For other BMP activities (urban and mining and resource extraction BMPs), the costs for BMP implementation should be reasonable and justifiable in relation to the anticipated pollution reductions expected from their installation.

2. **Match:** The Grantee shall:
 - a. Provide a minimum of 30% match toward the project that directly supports the nature and content of the project; match can be a combination of federal or non-federal sources:
 - i. Required percentages are based upon the total Section 319(h) funds requested. Total project cost is the 319(h) grant funds plus match. For example: An entity requests \$200,000 and is required to provide a 30% match; total match would be \$60,000 for a total project budget of \$260,000.
 - ii. **Exception:** Projects that include the development and implementation of a residential septic program in a high fiscal stress area may request a reduced match amount. **(Refer to the General Budget Narrative Section in the Application Questions document and the linked definitions within it for more details.)**
 - b. Document all match expenditures in a manner similar to grant fund expenditures during the life of the approved project. Funds previously matched or committed to another grant are not eligible as match.
 - c. An activity deemed ineligible for 319(h) funding is not eligible to be used as match.
 3. **Non-BMP (Technical Assistance) Funding:** Non-BMP or Technical Assistance (TA) funding are funds not directly related to the installation of BMPs on the ground, including costs related to staff expenses (salary, fringe, travel), education and outreach, and indirect and administrative costs. Any costs related to BMP installation are considered BMP funding (not including staff time to design the system, recruit participants, or oversee the installation). TA funds are capped at 35% of the total grant funds awarded. For example: For a total grant award of \$300,000, the maximum for TA is \$105,000 [$\$300,000 \times 35\%$]; the remaining \$195,000 would be for BMP installation:
 - a. **Exceptions:** Additional TA funds are allowable in some situations to improve the management and execution of projects; however, the maximum TA allowable if all exceptions are granted, would be 50% or \$150,000. **(Refer to the General Budget Narrative Section in the Application Questions document and the linked definitions within it for more details.)**
- C. Food and Refreshments:** Grant funds shall not be used for food or refreshments at activities or events (e.g., meetings, workshops, training, field days, or conferences), unless the objectives of the event would be compromised if food or refreshments were not provided. The requested grant funds will be allowed only if meetings adhere to the qualifying conditions specified in Section 25: Food and Refreshments of the [DEQ General Terms and Conditions For Federally Funded Grant Contracts](#) and Section 34, Light Refreshments and/or Meals, of the [EPA Terms and Conditions](#):
- Costs for food and refreshments shall be at or below the Commonwealth of Virginia or local per diem rates (as applicable) for the event location.
 - Costs for food, refreshments, and meals for Applicant staff meetings and similar day-to-day activities are not allowable.
 - Funding for food, meals, light refreshments, and space rental may not be used for any portion of an event where alcohol is served, purchased, or otherwise available as part of the event or meeting, even if 319(h) funds are not used to purchase the alcohol.
 - Funds for receptions, banquets, and similar activities that take place after normal business hours are prohibited unless the Applicant provides a justification, which results in DEQ obtaining permission or approval from EPA. Examples of working meetings include those evening events in which small groups discuss technical subjects on the basis of a structured agenda or those with presentations being conducted by experts.

1. **The Grantee shall:**

- a. Obtain written authorization from DEQ *prior to* the expenditure of grant funds; and
- b. Submit the following documentation to DEQ for a food or refreshment request for each qualifying project event:
 - i. An estimated budget and description for the light refreshments, meals, and/or beverages to be served at the event(s);
 - ii. A description of the purpose, agenda, location, length, and timing for the event;
 - iii. An estimated number of participants in the event and a description of their roles; and
 - iv. The justification provided to obtain authorization from DEQ.

D. Subcontracting and Sub-Grantees: The Grantee shall obtain written prior approval from DEQ (and EPA) for all costs associated with a subcontract/sub-grant that are not included in the executed sub-recipient grant contract.

VI. REIMBURSEMENT

The Section 319(h) Grant Program is a reimbursement program; the Grantee shall receive funding on a cost-reimbursement basis.

A. The Grantee shall:

1. Perform the work, pay for project costs, and submit an invoice with supporting documentation; and
2. Submit reimbursement requests by the 15th of the month following the end of a calendar quarter (i.e., April 15, July 15, October 15, and January 15).

B. BMP Requirements:

1. **Costs related to BMP Design:** In cases where projects are reimbursed for design costs, and then subsequently canceled or closed before the design is implemented, the Grantee shall be responsible for repayment of costs related to BMP design.
2. **Agricultural BMPs:** The Grantee shall submit documentation with their reimbursement request that demonstrates the program staff have the appropriate DCR and/or NRCS-recognized certification for the engineering design for the BMP.

C. DEQ will:

1. Reimburse the Grantee a minimum of quarterly, but no more frequently than monthly; the Grantee must request and obtain prior approval from DEQ, to submit monthly reimbursement requests.
2. Follow the Virginia Prompt Pay Act, which requires DEQ to make payments within 30 days of receipt of a qualifying and approved report, reimbursement request, and invoice.

VII. SUB-RECIPIENT GRANT CONTRACT REQUIREMENTS

A. Reporting Requirements: The Grantee shall adhere to all applicable federal administrative, financial, programmatic, and reporting requirements including, at a minimum, quarterly progress and financial reporting.

B. Terms and Conditions: The Grantee shall:

1. Administer their 319(h) grant funds according to prevailing federal terms and conditions; and
2. Submit written certification of compliance to, and upon request by, DEQ.
(Refer to the [Federal Uniform Grant Guidance](#), [DEQ General Federal Terms and Conditions](#), and [DEQ's Special 319\(h\) Terms and Conditions](#) for more information.)

C. Standard Grant Agreement: DEQ will utilize its standard sub-recipient grant agreement form for all projects awarded funding through this RFA.

VIII. APPLICATION PACKAGE REQUIREMENTS AND SUBMISSION INSTRUCTIONS

DEQ will only consider complete Application Packages that:

- Contain the required components;
- Follow formatting requirements; and
- Are submitted by the due date and time as outlined in these “Instructions.”

Incomplete Applications and/or Applications that are not submitted as specified will be disqualified.

- Components:** Applicants must submit each of the elements listed in Table A, “Required Application Documents” below. Applicants may also submit the elements in Table B, “Optional Application Documents”, as applicable. DEQ will not consider additional material outside of the “required” and “optional” elements submitted with an Application in the review and evaluation process.
- Format:** All components must be submitted in the electronic format specified in the table below (i.e., PDF, Microsoft Word, or Excel).
- Submission Instructions:** Email Application packages to npsgrants@deq.virginia.gov with the following email subject line: “2024 NPS TMDL RFA_<insert name of TMDL IP>”.

| Table A. Required Application Documents |
|---|
| Attachment 1: Application Form (Excel) – Must be submitted in Excel Form |
| Tab 1: Application |
| Tab 2: Project Partners and Technical Leads |
| Tab 3: Project Outputs |
| Tab 4: Project Budget |
| Tab 5: Water Quality Monitoring Plan |
| Tab 6: Application Checklist and Certification Statement (Provide a signed copy [preferably electronically signed]) |
| Attachment 2: 319(h) NPS Implementation Program Application Questions (Excel) Must be submitted in Excel Form |
| Match Documentation (one (1) PDF containing all letters of support, which document required matching funds) |
| Vicinity Map (limited to one (1) 8 ½ x 11-inch page) and/or Project Site Map (limited to one (1) 8 ½ x 11-inch page) |
| W-9 – “Request for Taxpayer Identification Number and Certification” Commonwealth of Virginia Substitute Form |

| Table B. Optional Application Documents |
|---|
| Letters of Support from non-match partners (limited to one (1) combined PDF document) |
| Description of previous accomplishments (limited to one (1) page, PDF or Word) |
| A copy of the federally approved indirect rate agreement (only if requesting an indirect rate over 10%) |

IX. DEQ CONTACTS

- For general questions regarding this RFA, Section 319(h), and NPS implementation, contact, Melissa Secor, at (804) 338-7493 or npsgrants@deq.virginia.gov (email subject line: “TMDL RFA Question”). DEQ can only guarantee answers to general questions received on or before **Friday, August 11, 2023**.
- For specific questions regarding local activity, contact the DEQ Regional Office Nonpoint Source Coordinator for the applicable project coverage area:
 - **Blue Ridge Regional Office:** Kim Romero, Kimberly.Romero@deq.virginia.gov, (540) 759-9075
 - **Northern Regional Office:** Kaitlin King, Kaitlin.King@deq.virginia.gov, (804) 338-2430
 - **Piedmont Regional Office:** Madison Whitehurst, Madison.Whitehurst@deq.virginia.gov, (804) 489-8796

- **Southwest Regional Office:** Stephanie Kreps; Stephanie.Kreps@DEQ.Virginia.gov, (276) 608-8811
- **Tidewater Regional Office:** Kaitlin King, Kaitlin.King@deq.virginia.gov, (804) 338-2430
- **Valley Regional Office:** Madison Whitehurst, Madison.Whitehurst@deq.virginia.gov, (804) 489-8796

X. INITIAL REVIEW, EVALUATION, RANKING, AND SELECTION PROCESS

- A. Initial Review:** DEQ will determine if an Application proposes a project in watersheds with an eligible IP (refer to [Table 1](#)). Only Applications proposing projects in watersheds with an eligible IP will be referred for evaluation and ranking.
- B. Evaluation and Ranking:** DEQ will:
1. Designate a Review Team that will review and score Applications based upon the evaluative criteria listed below;
 2. Calculate a final cumulative score for all Applications based upon the scores from all Review Team members;
 3. Rank the Applications from highest to lowest based upon the cumulative score; and
 4. Establish a cumulative ranking and sub-rank the list by geographic basin for Applications located within or outside of the Chesapeake Bay.
- C. Selection Process:** DEQ will assess Application rankings and, based upon the availability of funding (which includes the timing of when funds become available), select Applications for funding based upon the following rationale:
1. The highest-ranking Application located within each of the two (2) geographic target areas: Chesapeake Bay Drainage and non-Chesapeake Bay ("Southern Rivers"), based upon the sub-ranking outlined in Section B.4 above; and
 2. Statewide, sequential ranking (highest to lowest) after Applications in item "1" above are selected, based upon the ranking outlined in Section B.3 above.
- Note:** DEQ reserves the right to not award all available funding and to award funding for projects that can start within the start date parameters without conflicts.

XI. EVALUATIVE CRITERIA

Tables C, D, and E provide the evaluation criteria used by the Review Team during the selection process. See Section X for additional information about initial review, evaluation, ranking, and the selection process.

| Table C. Project Criteria | Points |
|---|-----------|
| 1.0 Project Overview 1.1 Connects the project to a NPS Implementation Plan(s) or Watershed-Based Plan(s), identifies watersheds and/or sub-watersheds and the TMDL impairment on which the project will focus. 1.2 Identifies the specific NPS Implementation Plan(s) or Watershed-Based Plan(s) project phase and associated milestones the project will address. 1.3 Demonstrates that the outputs of the project are accurately reflective of the eligible activities listed in Section II.C of the RFA. | 10 points |
| 2.0 Project Need 2.1 Connects the importance of the project through the assessment of the water quality impairment(s) and interest within the community to address the impairment via BMP implementation. 2.2 Provides a rationale for the project's necessity and likelihood of success. | 15 points |

| Table C. Project Criteria | Points |
|---|-----------|
| <p>2.3 If current, previous or other associated grants have been done in the same IP watershed as this project (whether funded by 319(h) or not), the application demonstrates they have: 1) Built off of prior implementation work; 2) Adapted their approach and/or organization (as necessary) to address any previous challenges; and 3) Provided a rationale for an expansion and/or change in the focus area(s), if applicable.</p> | |
| <p>3.0 Watershed, Geographic Description, and Location of Project</p> <p>3.1 Adequately explains the geographic extent of the project area, including if the project area is different from the boundary of the IP area.</p> <p>3.2 Provides a reasonable justification either for the prioritization of implementation in sub-watersheds, such as targeting strategies identified in the IP, or for not targeting specific sub-watersheds in the project area.</p> <p>3.3 If applying for BMP implementation in more than one IP area, the application: 1) Identifies the benefit of doing so; and 2) Includes a targeted approach to ensure a higher likelihood of resulting in water quality improvements.</p> <p>3.4 Identifies and factors in how community characteristics can make the project successful and/or pose challenges.</p> | 5 points |
| <p>4.0 Project Methods</p> <p>4.1 Includes detailed information about BMP implementation for each source sector (as applicable), that demonstrates an understanding of the IP goals and eligible BMPs from the IP, including BMP type and extent of implementation.</p> <p>4.2 Provides enough detail regarding the BMP implementation/administration, including cost-share allocation, BMP design and approval, development of landowner agreements and permits (as applicable), tracking and reporting, and operations and maintenance to conclude the Applicant adequately understands DEQ's NPS BMP Guidelines and Specifications and/or the approved guidance related to the project's type of BMP implementation.</p> <p>4.3 Provides a clear description of the project's public outreach strategy related to BMP implementation, including a strong rationale behind the type of activities, outputs, who will play a role and plans for gauging the success of outreach activities as the project progresses.</p> <p>4.4 If the project includes general public outreach not related to BMP implementation, the application provides a clear description of the project's public outreach strategy, including a strong rationale behind the type of activities and will be adequately integrated with the project BMP implementation, outputs, who will play a role, how it aligns with outreach activities described in the IP, and plans for gauging the success of outreach activities as the project progresses.</p> <p>4.5 If the project includes water quality monitoring activities, the application includes: 1) Detailed description of the monitoring program (Tab 5); 2) Justifiable rationale for conducting a monitoring program; 3) Relevant organizations and their role in activities; and 4) Details on how the data will be used and shared with the public.</p> | 25 points |
| <p>5.0 Budget Narrative</p> <p>5.1 Provides comprehensive, accurate, and complete budget information.</p> <p>5.2 Requests a reasonable amount of funds (with realistic assumptions) for the requested time period and proposed outputs.</p> <p>5.3 Requests a proportion of TA funds to BMP funds consistent with the RFA requirements (35:65).</p> <p>5.4 Provides an appropriate (30%) match amount and the activity(s) covered by the match will directly support the nature and content of the project.</p> <p>5.5 If the Applicant is requesting Indirect Costs, then the application includes details about the processes, procedures, or systems in place to track these costs separately from Direct costs.</p> | 25 points |

| Table C. Project Criteria | Points |
|---|------------|
| <p>5.6 If the Applicant is requesting additional TA funds beyond the 35% base allowance, then the application includes information that fully justifies and support the request.</p> <p>5.7 If the Applicant is requesting 319(h) funds for food and refreshments, then the application includes sufficient detail to justify and approve the costs to achieve the objectives of the project.</p> <p>5.8 Provides sufficient information in the application and budget that confirms the activities in the project are cost effective.</p> | |
| <p>6.0 Project Capacity</p> <p>6.1 Identifies meaningful partners and their roles and responsibilities regarding project activities (whether they are identified among the organizations included in the IP or not).</p> <p>6.2 Includes appropriate local and/or technical expertise for project implementation and BMP design/construction to meet the approved BMP specifications.</p> <p>6.3 Includes a sufficient description of how the Applicant will coordinate partners and demonstrates they will be able to complete the activities.</p> <p>6.4 Identifies internal administrative processes that demonstrate the Applicant's capacity to lead and administer a successful implementation project.</p> <p>6.5 If the Applicant has received recent funding (federal or non-federal), their grant management experience aligns with the capacity necessary to manage a 319(h) funded implementation project.</p> <p>6.6 Demonstrates the ability to track BMP implementation through the VA Agricultural BMP Tracking System, BMP Warehouse, or has outlined in the application a detailed plan for how they will access, use, and report BMPs during the project period.</p> <p>6.7 Demonstrates past experience and/or role within the community will lead to a strong likelihood of successfully implementing BMPs.</p> | 15 points |
| <p>7.0 Timeline</p> <p>7.1 Provides a rationale of proposed project length and sequence of activities that are realistic and conveys that the project will be completed successfully within the requested grant period.</p> | 5 Points |
| Total Maximum Points | 100 points |

| Table D. Applicant Experience Criteria – Every Applicant will be evaluated on their performance in managing grants. All points will be applied to the final score after evaluative review. | Points |
|--|-----------------|
| <p>A. Applicant's performance implementing previous 319(h) grant(s)</p> <p>Applicants will be assessed based upon past performance on 319(h) funded projects implemented more than three (3) years ago, using progress reviews conducted by DEQ, related to meeting expectations for grant and/or project administration and coordinating grants and projects:</p> <ul style="list-style-type: none"> • No previous 319(h) Funded Performance: (0 points) • Met Satisfactory Performance: The Applicant met the goals and deliverables outlined in the executed grant agreement; demonstrated the ability to successfully manage and administer a 319(h) implementation project and received a fully satisfactory progress review rating. (0 points) • Did Not Meet Satisfactory Performance: The Applicant did not receive a fully satisfactory review during the last progress review and has a weak track record coordinating and administering 319(h) grants and projects. Project deliverables were rarely completed on time and/or often did not meet the expected quality level. Modifications to the project scope were required due to administrative issues on the part of the Applicant. (- 10 points) | -10 to 0 points |

| Table E. Conditional Eligibility Criteria: If the Applicant is applying for an IP that is conditionally eligible (refer to Table 1) they will be assessed upon how well they address previous challenges identified in the closeout report of the conditionally eligible IP, and how well the deficiencies are being addressed in the Application. | Points |
|---|-------------------|
| <p>A. Applicant’s justification for applying for a conditionally eligible IP</p> <ul style="list-style-type: none"> Applicant is not applying for a conditionally eligible IP: (0 points). <p>If the Applicant has previous 319(h) experience:</p> <ul style="list-style-type: none"> Strong Assessment: Requested the IP closeout report and adequately addressed the challenges and how the deficiencies will be resolved, in their Application. (0 points) Weak Assessment: Did not request the IP closeout report and/or did not adequately address the challenges and how the deficiencies will be resolved, in their Application. (-5 points) <p>If the Applicant has <u>no</u> previous 319(h) experience:</p> <ul style="list-style-type: none"> Strong Assessment: Requested the IP closeout report and adequately addressed the challenges and how the deficiencies will be resolved, in their Application. (0 points) Weak Assessment: Did not request the IP closeout report and/or did not adequately address the challenges and how the deficiencies will be resolved, in their Application. (-5 points) | -5 to 0 points |

¹ Environmental Justice (EJ) is the fair treatment and meaningful involvement of every person, regardless of race, color, national origin, income, faith, or disability, regarding the development, implementation, or enforcement of any environmental law, regulation, or policy. Fair treatment is the equitable consideration of all people whereby no group of people bears a disproportionate share of any negative environmental consequence resulting from an industrial, governmental, or commercial operation, program, or policy. Meaningful involvement is the requirements that (i) affected and vulnerable community residents have access and opportunities to participate in the full cycle of the decision-making process about a proposed activity that will affect their environment or health and (ii) decision makers will seek out and consider such participation, allowing the views and perspectives of community residents to shape and influence the decision. See <https://www.epa.gov/environmentaljustice/learn-about-environmental-justice> for more information.